

REMARKS

Claims 16 - 22 and 24 - 33 are pending with claims 15 and 23 canceled and claims 26 - 33 added by this paper.

Claim Rejections Under 35 U.S.C §103

Claims 15 - 19, 22, 24 and 25 stand rejected as allegedly being unpatentable over U.S. Patent No. 5,619,352 (Koch) in view of U.S. Patent No. 4,701,028 (Clerc) and WO 98/12584 (Verrall). Additionally, claims 20, 21 and 23 stand rejected as allegedly being unpatentable over Koch in view of Clerc and Verrall and further in view of U.S. Patent No. 5,557,434 (Winker). Applicants respectfully traverse these rejections with respect to the present claims. Particularly, claims 26 - 33 have been added and the claims from the last paper have either been canceled or depended from these new claims. As such, Applicants respectfully submit that these rejections are no longer applicable. With respect to the feature in new claim 30 that the compensator does not comprise further optical retardation layers, support for this feature can be found in the specification at page 9, lines 19 - 20, Examples 3 and 4, and Figures 3 and 4.

None of these references teach or suggest a diacetylcellulose film having the optical properties of a negative C plate where the on-axis optical retardation of the diacetylcellulose film is 3 - 50 nanometers (relevant to claim 26), much less an on-axis optical retardation of 5 - 20 nanometers (relevant to claim 27).

What is more, none of these references teach or suggest a diacetylcellulose film for light with an angle incident of 60° having an optical retardation of 20 - 250 nanometers (relevant to claim 28).

Also, there is insufficient motivation to combine Koch and Verrall. Particularly, although Koch discloses O plate compensators that may include A plates and/or negative C plates as well as O plates (see, e.g., column 7, lines 27 - 34), it fails to provide sufficient motivation for one of ordinary skill in the art to select the optical retardation film of Verrall. Particularly, there is no motivation for one of skill in the art to pick the optical retardation film of Verrall out of the countless other retardation films that could be chosen in the O plate compensator of Koch.

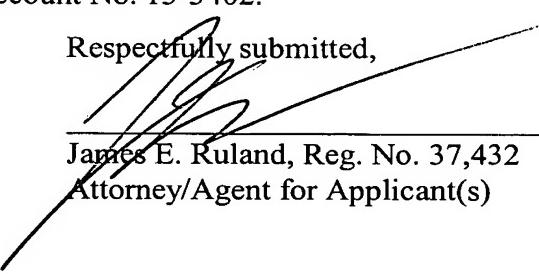
What is more, the references fail to teach or suggest an optical compensator for a liquid

crystal display comprising only one O plate retarder and only one diacetylcellulose film. Although Koch and Winker disclose that O plate compensators can include A plates and/or negative C plates as well as O plates, both the references fail to provide examples of compensators that have only one O plate retarder and only one diacetylcellulose film (relevant to claims 30 and 32), much less a compensator not comprising further optical layers (relevant to claim 30). See, e.g., Table 1 at column 1 of Koch and Tables I and II at column 3 of Winker.

In view of the above remarks, favorable reconsideration is respectfully requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


James E. Ruland, Reg. No. 37,432
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410
Attorney Docket No.: MERCK-2389

Date: 18 August 2005

JER/jqs
K:\Merck\2389\Reply 12-10-04.doc